

E.G.
7/20/05**AMBROZIAK KITTO, LLC**

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*Joanna C. Kitto
Member, Admitted in
Colorado & Illinois*

July 20, 2005

VIA FACSIMILE

Tom Turner
Environmental Protection Agency
Office of Regional Counsel
Region 5
77 West Jackson Blvd.
Chicago, IL 60604



Re: Separate Universal Packaging Entities

Dear Mr. Turner,

Thank you for speaking with me today about the issue of my client, Universal Packaging Corp.'s (hereafter, "UPC") lack of involvement in the RRG/Clayton Chemical Site Soil Removal ("Site").

As I mentioned in our conversation, we believe that the EPA has mistakenly identified my client, UPC, as a potentially responsible party ("PRP") in its proceedings, for the following reasons:

- UPC is a woman-owned Colorado corporation that has been in business since 1980.
- UPC is locally owned and operated.
- UPC is a distributor of packaging materials.
- Neither UPC nor any of its officers have ever been involved in manufacturing in Colorado or any other state.
- Neither UPC nor any of its officers have ever had any operations in the State of Illinois; its business and client base are based primarily in Colorado.
- UPC's only connection with other states is that it occasionally ships packaging materials to customers in other states.

- Neither UPC nor any of its officers have ever owned property in the State of Illinois.
- Neither UPC nor any of its officers UPC have ever contracted to do work at the Site or any property in the State of Illinois.
- UPC is not involved in any way in the field of environmental remedial such that it would have liability under CERCLA.
- UPC has never had any offices or employed any representatives in the State of Illinois.

In sum, UPC has absolutely no connection with the Site and believes that there is likely another legal entity that has a similar name to UPC that has a connection with this Site and is the appropriate PRP. For the reasons set forth above, UPC will not be participating in the group of Negotiating PRPs as they formulate an Administrative Agreement and Order on Consent.

You mentioned that the EPA might be willing to revisit its research regarding the appropriate legal entity who may be a PRP with the name "Universal Packaging." Such an effort would be greatly appreciated by UPC so as to avoid further legal fees to clarify that UPC is not a PRP for this Site.

As we also discussed, I am informed that, in a previous year, UPC was contacted in connection with an insurance retirement plan dispute in Florida and also notified the parties involved that it has no business in Florida.

I would note that a search on the Florida Department of State's business records website (<http://www.sunbiz.org/scripts/cornamelis.exe>) turned up numerous records for company records containing the name "Universal Packaging" – as shown in the attached page. Similarly, a search on the Illinois Department of State's website (<http://cdsprod.ilso.net/CorpSearchWeb/corpsrch.html>) shows several entities named Universal Packaging Corporation and Universal Packaging Systems, Inc. None of those entities have any connection with UPC, a Colorado packaging distributing concern.

I have also enclosed copies of UPC's previous communications to you on this subject. Please do not hesitate to contact me should you have any questions regarding the above.

Cordially,


Jeanna Kitto

Enclosures

cc: Gloria Cobb, President, Universal Packaging Corp. (*via facsimile*)
Sharon R. Newlon, Esq., Dickson Wright, LLP (*via facsimile*)
Margaret A. Coughlin, Esq., Dickson Wright, LLP (*via facsimile*)
Beverly Kush, Acting Chief, US EPA, Region 5 (*via facsimile*)

December 29, 2004

Beverly Kush
Acting Chief
Emergency Response Branch
US Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3590

Dear Ms. Kush:

Enclosed please find a copy of a letter forwarded to Mr. Tom Turner, dated November 24, 2004. This letter was in response to a mailing from him regarding the Clayton Chemical Site Notice of Potential Liability.

If you should require any further information, please call.

Sincerely,

Gloria Cobb
President

Enc.

November 24, 2004

Tom Turner
Associate Regional Counsel
U.S. EPA Region V
Office of Regional Counsel (C-14J)
77 W. Jackson Boulevard
Chicago, Illinois 60604

Re: Clayton Chemical Site General Notice of Potential Liability Letter

Dear Mr. Turner:

As per our telephone conversation November 23, 2004 this is to clarify that Universal Packaging Corporation has never been involved with the Clayton Chemical Site in Illinois.

Universal Packaging Corporation is a Colorado Corporation since 1980, we are a wholesale distributor of packaging and shipping supplies. We are solely in distribution and have never been in manufacturing nor have we been involved in any business situation with the Clayton Chemical Site. We feel that the letter that was sent to us was sent in error, we are not affiliated with any other operation outside of Colorado, we are independently owned and operated.

I appreciate your returning my call and thank you for your assistance, should you require any further information, please call.

Sincerely,

Gloria Cobb
President

Division of Corporations

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Corporate Name List

Corporate Name	Document Number	Status
<u>UNIVERSAL PACKAGING CO., INC.</u>	289274	INACT
<u>UNIVERSAL PACKAGING, INC.</u>	P93000057509	NAMB HS
<u>UNIVERSAL PACKAGING, INC.</u>	P02000003310	ACT
<u>UNIVERSAL PACKAGING EQUIPMENT & PARTS, INC.</u>	P95000055726	INACT
<u>UNIVERSAL PACKAGING & FREIGHT CORP.</u>	M00466	INACT
<u>UNIVERSAL PACKAGING MACHINE COMPANY</u>	484305	INACT
<u>UNIVERSAL PACKAGING & MACHINERY SALES CORP.</u>	P01000066030	ACT
<u>UNIVERSAL PACKAGING SERVICES INC.</u>	F01000001628	INACT/UA
<u>UNIVERSAL PACKING AND CRATING CORP.</u>	456250	INACT
<u>UNIVERSAL PACKING & SHIPPING CORP.</u>	M11522	INACT
<u>UNIVERSAL PACKING & SHIPPING, INC.</u>	P96000022237	INACT
<u>UNIVERSAL PAD PRINTING INC.</u>	P99000042483	INACT
<u>UNIVERSAL PAGEANTS, INC.</u>	P92000006173	INACT
<u>UNIVERSAL PAGE & COMMUNICATIONS, INC.</u>	P95000046296	INACT
<u>UNIVERSAL PAGING, INC.</u>	P94000067553	NAME HS
<u>UNIVERSAL PAGING, INC.</u>	P97000060284	INACT
<u>UNIVERSAL PAGING ENTERPRISES INC.</u>	P93000054121	INACT
<u>UNIVERSAL PAGING INC. OF MIAMI</u>	P94000073028	INACT
<u>UNIVERSAL PAIN COMPANY</u>	P99000086401	INACT
<u>UNIVERSAL PAIN CENTER CORPORATION</u>	P97000007101	INACT
<u>UNIVERSAL PAIN CLINICS, INC.</u>	P97000041193	INACT
<u>UNIVERSAL PAIN CONSULTANTS, INC.</u>	P03000134125	ACT
<u>UNIVERSAL PAIN INSTITUTE, INC.</u>	P96000072478	INACT
<u>UNIVERSAL PAIN INSTITUTE, L.C.</u>	L96000001279	INACT

[Previous List](#)[Next List](#)

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporation/LLC SEARCH RESULTS

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ILLINOIS

[SERVICES](#)[PROGRAMS](#)[PRESS](#)[PUBLICATIONS](#)[DEPARTMENTS](#)[CONTACT](#)**CORPORATION/LLC SEARCH RESULTS****Search Criteria: UNIVERSAL PACKAGING**

Entity Type	File Number	Corporation/LLC Name
CORP OLD	50838088	<u>UNIVERSAL PACKAGING CORPORATION</u>
CORP MST	53588166	<u>UNIVERSAL PACKAGING CORPORATION</u>
CORP OLD	53003443	<u>UNIVERSAL PACKAGING CORPORATION</u>
CORP MST	57443855	<u>UNIVERSAL PACKAGING SYSTEMS, INC.</u>
CORP MST	54978049	<u>UNIVERSAL PACKAGING SYSTEMS, INC.</u>

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CORPORATION/LLC SEARCH RESULTS...

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SERVICES PROGRAMS PRESS PUBLICATIONS DEPARTMENTS CONTACT .

CORPORATION FILE DETAIL REPORT

Entity Name	UNIVERSAL BOW TRANSPORT, INC.	File Number	50836088
Status	MERGE/CONSOLIDATED		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	02/19/1976	State	DELAWARE
Agent Name	ARTHUR E RIDEOUT	Agent Change Date	05/28/1997
Agent Street Address	INDUSTRIAL PARK RTE 151 SOUTH	President Name & Address	JACK R HUTTON 137 N STATE ST CONCORD NH 03301
Agent City	CENTRALIA	Secretary Name & Address	MERGED OR CONSOLIDATED 01 28 99 53588166
Agent Zip	62801-0000	Duration Date	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	1999
Old Corp Name	08/21/1984 - 511 HALL CORPORATION 08/21/1984 - UNIVERSAL PACKAGING CORPORATION		

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[SERVICES](#)[PROGRAMS](#)[PRESS](#)[PUBLICATIONS](#)[DEPARTMENTS](#)[CONTACT](#)**CORPORATION FILE DETAIL REPORT**

Entity Name	UNIVERSAL PACKAGING CORPORATION	File Number	53588166
Status	REVOKED		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	08/18/1984	State	DELAWARE
Agent Name	C T CORPORATION SYSTEM	Agent Change Date	06/29/1999
Agent Street Address	208 SO LASALLE ST, SUITE 614	President Name & Address	JACK R HUTTON 137 N STATE ST POB 112 CONCORD NH 03301
Agent City	CHICAGO	Secretary Name & Address	REVOKED 02 01 00
Agent Zip	60604-1101	Duration Date	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	1999
Assumed Name	INACTIVE - GRAPHIC PACKAGING CORPORATION, UNIVERSAL PACKAGING DIVISION		

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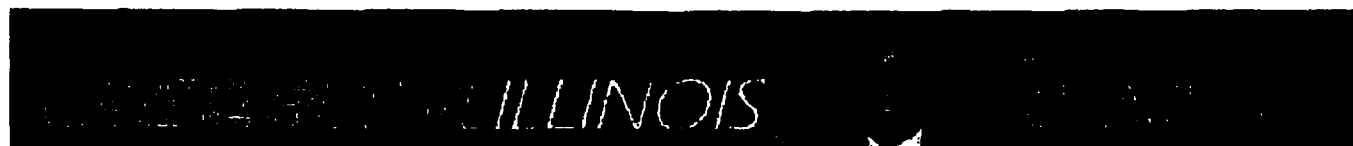
[SERVICES](#)[PROGRAMS](#)[PRESS](#)[PUBLICATIONS](#)[DEPARTMENTS](#)[CONTACT](#)**CORPORATION FILE DETAIL REPORT**

Entity Name	UNIVERSAL PACKAGING SYSTEMS, INC.	File Number	54978049
Status	DISSOLVED		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	02/23/1988	State	ILLINOIS
Agent Name	VACATED	Agent Change Date	10/02/1989
Agent Street Address	1300 W HIGGINS RD	President Name & Address	JAMES A BACH 3500 DREXEL DALLAS TX 75205
Agent City	PARK RIDGE	Secretary Name & Address	INVOLUNTARY DISSOLUTION 01 02 90
Agent Zip	60068-0000	Duration Date	PERPETUAL
Annual Report Filing Date	06/07/1989	For Year	1989

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Entity Name	UNIVERSAL PACKAGING SYSTEMS, INC.	File Number	57443855
Status	DISSOLVED		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	08/19/1983	State	ILLINOIS
Agent Name	JAMES J LUKACEK	Agent Change Date	09/24/1998
Agent Street Address	218 TIOGA AVENUE	President Name & Address	JOZEF KRZECKI 2404 SPRING RIDGE RD #G SPRING GROVE 60081
Agent City	BENSENVILLE	Secretary Name & Address	INVOLUNTARY DISSOLUTION 01 02 04
Agent Zip	60106-1928	Duration Date	PERPETUAL
Annual Report Filing Date	00/00/0000	For Year	2003

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FAX COVER

July 20, 2005

12 Pages including fax cover

FROM:	Joanna Kitto	TO:	Tom Turner
Phone:	(720) 560-4172	Company:	Regional Counsel, Environmental Protection Agency
Fax:	(303) 484-8470	Phone:	312.886.6613
E-Mail:	jo@ambroziak-kitto.com	Fax:	312.886.0747
Subject:	<u>Letter regarding incorrect identification of Colorado corporation Universal Packaging as a PRP at the RRG/Claton Chemical Site</u>		
Notes:			

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